

Application No.: 10/777,902Docket No.: 10017912-3 (1509-239A)**REMARKS**

The claims have been amended, as appropriate, to overcome the objections to them and the rejections thereof under 35 U.S.C. 112, paragraph 2. However, applicants do not agree that "the PFET transistor" should be changed to --the PFET of the first transistor-- and that "the NFET transistor" should be changed to --the NFET of the second transistor.-- In the opinion of attorney for applicant, such a change would be confusing. Accordingly, the wording "the PFET transistor" has been changed to --the first transistor-- and "the NFET transistor" has been changed to --the second transistor--. Applicants note that the suggestion in the Office Action about amending would result in claim 30 being misdescriptive. Accordingly, claim 30 has been amended to specifically recite "another switchable capacitor" and specific attributes a connections thereof.

Concerning the rejection of claim 3 under 35 U.S.C. 112, paragraph 2, applicants note that the recitation "a DC power supply terminal" is not necessarily one of the "opposite power supply terminals." The opposite power supply terminals could be positive or negative DC voltages, while the "DC power supply terminal" of claim 3, line 2, could be ground. The Examiner is reminded that the test for a proper rejection under 35 U.S.C. 112, paragraph 2, is whether a member of the public can determine if the product it is making or plan to make will infringe the claim. This is clearly possible from claim 3. It is not necessary for a claim to read specifically on the drawings.

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The rejection of claims 1, 3, 4, 8, 9, 11, 14, 22-24 and 26 as being anticipated by Ohnishi, USP 5,633,600, is traversed. The Office Action alleges capacitor 308 and/or 309 is a voltage responsive switchable capacitor because the capacitors are switched between charged and discharged states and a threshold voltage causes the capacitor to change from charging to discharging. Claim 1, upon which claims 3, 4, 8, 9, 11 and 14 depend, requires at least one switchable capacitor to be arranged to have an initial finite capacitance value during an initial part of a transition between first and second levels of a voltage source and to be switched from the initial finite capacitance value to a substantially open circuit in response to the voltage across the switchable capacitor changing during the transition, wherein the threshold voltage is between the first and second levels.

Capacitors 308 and 309 of Ohnishi are not switched from an initial finite capacitance value to a substantially open circuit, as required by claim 1. Instead, the capacitance values of capacitors 308 and 309 remain the same throughout a transition. Capacitors 308 and 309 are represented on the circuit diagram, Figure 1, as conventional capacitors. The waveforms of Figure 2 indicate capacitors 308 and 309 are charged and discharged in a conventional manner. The thresholds indicated in Figure 2 are the thresholds of transistors 310 and 311. The thresholds have nothing to do with threshold values of capacitors 308 and 309 switching from an initial finite capacitance value to a substantially open circuit. This is evident from an inspection of the second and fourth waveforms of Figure 2. In this regard, the voltage on output 312 starts to increase when the voltage on capacitor 308 drops below the threshold of the

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gate of P channel transistor 310, resulting in the positive power supply voltage V_{DD} being initially applied to output terminal 312, as indicated by the bottom waveform of Figure 2. In response to the voltage across capacitor 309 increasing above the threshold of N-channel transistor 311, transistor 311 starts to conduct, resulting in ground starting to be applied to terminal 312 through the source drain path of transistor 311. Based on the foregoing, the analysis of claim 1 in the Office Action vis-à-vis Ohnishi is incorrect.

Claim 22 distinguishes over Figure 1 of Ohnishi by requiring first and second capacitors to be switched off and to remain switched or turned off. As discussed in connection with the rejection of claim 1, capacitors 308 and 309 are not switched or turned off; instead, the capacitors have constant values throughout their operation.

Similarly, claim 26 requires first and second capacitors that have third and fourth thresholds to have finite values and to be switched off in response to the voltage across the capacitors being on opposite sides of thresholds thereof. In addition, the second capacitor is required to be switched off and the voltage across the second capacitor and at the control electrode of the second transistor to suddenly change toward the voltage at the second power supply terminal in response to the voltage across the second capacitor crossing the fourth threshold. In addition, the first capacitor is required to be switched off and the voltage across the first capacitor and the control electrode of the first capacitor is required to suddenly change toward the voltage at the first power supply terminal in response to the voltage across the first capacitor crossing a third threshold.

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Based on the foregoing, the rejections of independent claims 1, 22 and 26 are incorrect. Similarly, all claims that depend on these claims are allowable. The secondary references applied against claims 15-19, i.e., Wanlass, USP 3,356,858, and Vikinski, USP 6,150,862, fail to cure the foregoing deficiencies of Ohnishi.

In addition, some of these claims include features not disclosed by the art of record.

For example, claim 9 requires the first capacitor to be arranged to have a finite capacitance value on a first side of a first threshold and a substantially open circuit on a second side of the first threshold and the second capacitor to have a finite capacitance value on a second side of a second voltage threshold and a substantially open circuit on a first side of the second threshold. The capacitors of Ohnishi are not substantially open circuits as a function of thresholds. In fact, these capacitors are never open circuited. As previously discussed, capacitors 308 and 309 always have the same value and are not switched to an open circuit condition. Similarly, Ohnishi fails to disclose the requirement of claim 24 for the first and second capacitors to be switched off in response to the first and second voltages having values on opposite sides of first and second thresholds respectively associated with the first and second capacitors.

Claim 19 distinguishes over the references applied against them, i.e., Ohnishi, Wanlass and Vikinski, by requiring the first resistor to be connected between the source drain path of the NFET of the first inverter and the output terminal of the first inverter and the second resistor to be connected between the source drain path of the PFET of the second inverter and the output terminal of a second inverter. In this rejection, the

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Office Action relies on resistors 304 and 305 of Figure 1 of Ohnishi. However, resistors 304 and 305 are connected between the output terminals of inverters 302 and 303, respectively, and two electrodes of transistors 306, 307, 310, 311 and capacitors 308 and 309. Hence, resistors 304 and 305 are connected to terminals outside of inverters 302 and 303. In particular, there are no connections of resistors 304 and 305 between output terminals of inverters 302 and 303 and transistors that are part of the inverters. The output terminals of inverters 302 and 303 are represented by the circles at the right side of the triangles illustrated in Figure 1. If the Examiner persists in this rejection, he is requested to indicate, by a diagram, how resistors 304 and 305 are being interpreted as meeting the connections of claim 19.

In view of the foregoing amendments and remarks, favorable reconsideration and allowance are respectfully requested and deemed in order.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,

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